

Second Extraordinary Session, 2006

HOUSE BILL NO. 57

BY REPRESENTATIVES THOMPSON, SALTER, ALARIO, DORSEY, TOWNSEND,
BAYLOR, E. GUILLORY, HUNTER, JACKSON, MCVEA, MORRISH, JACK
SMITH, JOHN SMITH, TRICHE, AND TOOMY AND SENATOR BARHAM

AN ACT

To enact Subpart L of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.41, relative to state funds; to establish the Louisiana Interoperability Communications Fund as a special fund in the state treasury; to provide for the dedication, deposit, use, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart L of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.41, is hereby enacted to read as follows:

SUBPART L. LOUISIANA INTEROPERABILITY COMMUNICATIONS FUND

§100.41. Louisiana Interoperability Communications Fund

A. There is hereby established in the state treasury, as a special fund, the Louisiana Interoperability Communications Fund, hereinafter referred to as the "fund".

B. Subject to a legislative appropriation, the treasurer is authorized and directed on the effective date of this Act to deposit any monies available into the fund from the general fund. Monies in the fund shall also include any monies appropriated annually to the fund by the legislature, including federal funds; donations, gifts, or grants; and any other monies which may be provided by law to be deposited in the fund. The monies in this fund shall be appropriated, administered, and used solely as provided in Subsection C of this Section and only in the amounts appropriated annually by the legislature. All unexpended and unencumbered monies in this fund at the end of the fiscal year shall remain in the

1 fund. The monies in this fund shall be invested by the state treasurer in the same
2 manner as monies in the state general fund, and interest earned on the investment of
3 these monies shall be credited to this fund.

4 C. Monies in the fund shall be appropriated and used solely to establish,
5 design, develop, acquire, construct, administer, operate, and maintain an
6 interoperability communications system within the state to serve state and local
7 emergency and first responders and to meet National Incident Management Systems
8 (NIMS) communication requirements, which shall include but not be limited to
9 administration and staff support, training, acquisition and implementation of
10 hardware and software systems, voice system upgrades, Internet protocol systems,
11 equipment upgrades, wireless, broadband and relay systems, and the maintenance of
12 all feasible interoperability systems, and an all-hazards emergency alert system
13 which shall be able to support a text-based emergency alert and notification system
14 containing messaging, e-mail, Internet access, cellular capability, desktop alert
15 applications, prerecorded voice messages and text pager messages, and satellite
16 phone and satellite radio with two-way send and reply capabilities, and include a web
17 site which provides emergency information to the citizens of the state including but
18 not limited to such things as information relative to the Department of Homeland
19 Security and Emergency Preparedness, Federal Emergency Management Agency,
20 charities and faith-based groups that provide relief during times of emergency, and
21 state and local shelters operating during a declared state of emergency; evacuation
22 plans and routes; home safety including emergency kits, the supplying of food and
23 water, pet care, and sheltering in place; and communications information, as well as
24 a rapid communications system which shall have at a minimum a text-based
25 emergency alert and notification component where users may self-register to receive
26 all-hazards emergency information from their local parishes and the state and users
27 can manage their personal contact information whether by e-mail, cell phone, pager,
28 or personal digital assistant as they choose. The text-based alert and notification
29 system shall be capable of enabling local and state emergency officials to send text
30 alerts to such users based upon their preferences or geographical location by parish,

1 emergency preparedness and homeland security regions, or statewide, and the system
 2 shall be capable of tracking replies from such users.

3 D. The Governor's Office of Homeland Security and Emergency
 4 Preparedness, the office of the chief information officer, the Department of Public
 5 Safety and Corrections, and the members of the Statewide Interoperable
 6 Communication System Executive Committee shall assist, as requested by the
 7 governor, in the implementation and establishment of an interoperability
 8 communications system within the state, including but not limited to applying for
 9 grants or financial assistance from the federal government, individuals, or
 10 corporations.

11 E. Appropriations from the fund to an entity which exceed ten percent
 12 individually or in the aggregate of the total appropriations made from the fund in that
 13 fiscal year shall not be implemented until the entity receiving the appropriation has
 14 submitted an expenditure plan for approval to the Joint Legislative Committee on the
 15 Budget. All expenditures shall comply with the Louisiana Procurement Code, R.S.
 16 39:1551, et seq.

17 Section 2. This Act shall become effective upon signature by the governor or, if not
 18 signed by the governor, upon expiration of the time for bills to become law without signature
 19 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 20 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 21 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____